

02-10-04

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**Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Large Entity)**

Docket No.
RDID0063US

In Re Application Of: **KITAS, Eric et al.**


FEB 09 2004

Serial No.

09/647,586

Filing Date

December 22, 2000

Examiner

Janet L. Epps-Ford, Ph.D.

Group Art Unit

1635

Invention: **NEW COMPOUNDS FOR DNA TRANSFECTION**

Attention: Office of Petitions
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. A proposed reply to the above-identified notice or action:

is enclosed. was filed on _____

The proposed reply is in the form of: Amendment and Response

2. The issue fee: 02/13/2004 AWONDAF1 00000010 500877 09647586

is enclosed. was paid on _____
 01 FC:1453 1330.00 DA
 02 FC:1253 950.00 DA

3. The abandoned application was a:

design application. utility application. plant application.

4. A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

5. Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

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Calculation and Payment of Fees

Enclosed are the following fees:

6. Petition fee under 37 CFR 1.17(m) in the amount of: \$1,300.00

7. Fee for amendment in the amount of: _____

8. Fee for extension of time to respond to Office Action in the amount of: \$950.00

9. Issue fee in the amount of: _____

10. Continuing application filing fee in the amount of: _____

11. Terminal disclaimer fee in the amount of: _____

12. _____

Total fees enclosed: \$2,250.00

The fee of \$2,250 is to be paid as follows:

A check in the amount of the fee is enclosed.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 50-0877

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Statement

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.


Signature

Dated: 2/9/04

Marilyn Amick, Reg. No. 30,444
Roche Diagnostics Corporation
9115 Hague Road, Bldg. D
Indianapolis, IN 46250

I certify that this document and fee is being deposited on [redacted] with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

CC:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: KITAS, Eric *et al.*
Serial No: 09/647,586
Filed: December 22, 2000
For: NEW COMPOUNDS FOR DNA TRANSFECTION
Art Unit: 1635
Examiner: Janet L. Epps-Ford, Ph.D.

**PETITION FOR REVIVAL OF APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

Mail Stop Petition
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

February 9, 2004

Dear Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to the Notice to Comply mailed July 2, 2003. The date of abandonment is January 3, 2004. The entire delay in filing the required reply from January 2, 2004 until the filing of this petition, February 9, 2004, was unintentional, and Applicants hereby petition for revival of this application.

Please charge the Petition fee and the Reply fee to Deposit Account No. 50-0877. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

A handwritten signature in cursive ink that appears to read "Marilyn Amick".
Marilyn L. Amick
Reg. No. 30,444

Roche Diagnostics Corp.
9115 Hague Road
Indianapolis, IN 46250
Phone: 317-521-7561
Fax: 317-521-2883

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

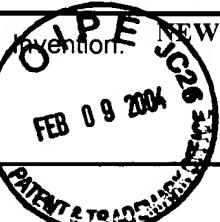
Applicant(s): KITAS, Eric et al.

Docket No.

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Serial No.
09/647,586Filing Date
December 22, 2000Examiner
Janet L. Epps- Ford, Ph.D.Group Art Unit
1635

Invention: NEW COMPOUNDS FOR DNA TRANSFECTION



I hereby certify that the following correspondence:

Petition for Revival of Application for Patent Abandoned Unintentionally & Amendment and Response*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

February 9, 2004
*(Date)***Michele Wilson***(Typed or Printed Name of Person Mailing Correspondence)*Michele R. Wilson*(Signature of Person Mailing Correspondence)***EV288801698US***("Express Mail" Mailing Label Number)*

Note: Each paper must have its own certificate of mailing.